
Judiciary Committee

SB 5453

Title: An act relating to civil immunity of radio and television broadcasting organizations participating in the Amber alert system.

Brief Description: Providing civil immunity for broadcasters participating in the Amber alert.

Sponsors: Senators Delvin, Shin, Kline and Brandland.

Brief Summary of Bill

- Provides immunity to radio and television broadcasters and cable television systems relating to broadcasts of information supplied by law enforcement pursuant to the "AMBER Alert" broadcast notification system.

Hearing Date: 3/30/05

Staff: Edie Adams (786-7180).

Background:

The AMBER Alert Plan is a voluntary collaboration between local law enforcement agencies and local broadcasters and cable systems to use radio and television media to assist in the recovery of abducted children. The local law enforcement agency initiating an Amber Alert contacts the Washington State Patrol (WSP). The WSP then notifies the Washington State Emergency Management Division which issues the alert to radio and television media through the Emergency Alert System (EAS). Radio and television media will then broadcast the information about the abduction provided through the EAS. This information typically includes a picture or description of the missing child, details of the abduction, the name and a picture or description of the suspected abductor, and information about the vehicle used by the abductor. The WSP also notifies the Department of Transportation (DOT) of the Amber Alert, and the DOT places the alert information on highway traffic signs.

An Amber Alert is initiated in abduction cases that meet criteria specified in the AMBER Alert Plan. The main criteria are:

- the child is under the age of 18 and is known to be abducted (not a runaway);
- the child is believed to be in danger of death or serious bodily injury; and
- there is enough descriptive information available to believe that an Amber Alert activation will assist in recovery of the child.

An Amber Alert may be activated directly by a local law enforcement agency that has either an approved local AMBER Alert Plan or a mutual aid agreement with an agency that has an approved plan, or by the WSP if the local law enforcement agency does not have an approved plan.

Summary of Bill:

Radio and television broadcasting stations and cable television systems are given complete immunity from a civil action for damages based on the broadcast of information supplied by law enforcement pursuant to the Amber Alert voluntary broadcast notification system. The broadcasted information may include, but is not limited to, the name and description of the abducted child, the name and description of a suspected abductor, and the circumstances of the abduction.

The immunity provided in the act does not limit any other immunity or privilege that may apply to a radio or television broadcasting station or cable television system.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.